

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In Re: AUTOMOTIVE PARTS ANTITRUST LITIGATION	12-md-02311 Honorable Marianne O. Battani
In Re: BEARINGS CASES	
THIS RELATES TO: Direct Purchaser Actions	12-cv-00501-MOB-MKM

**MOTION FOR REAPPOINTMENT OF INTERIM
LEAD COUNSEL**

Direct Purchaser Plaintiffs, by their undersigned interim lead and liaison counsel, move for reappointment of Preti Flaherty as one of the interim lead counsel for the reasons that follow:

1. By Order entered on March 19, 2012 [Dkt. 60] in *In Re: Wire Harness Systems Antitrust Litigation*, 12-md-02311 (“MDL No. 2311”), Freed Kanner London & Millen, L.L.C. (“Freed Kanner”), Kohn, Swift & Graf, P.C. (“Kohn Swift”), Preti Flaherty Beliveau & Pachios LLP (“Preti Flaherty”), and Spector, Roseman, Kodroff and Willis, P.C. (“Spector Roseman”) were appointed to serve as Interim Lead Counsel for the Direct Purchaser Plaintiffs; and

2. Pursuant to Case Management Order No. 1 dated March 29, 2012 [Dkt. 73], MDL No. 2311 was renamed *In Re: Automotive Parts Antitrust Litigation*; and

3. Pursuant to Case Management Order No. 2 dated July 10, 2012 [Dkt. 199], the Court ordered that separate case numbers, dockets, and ECF filing protocols be established for cases involving each other automotive part product included in MDL 2311. Case number 2:12-cv-00501 was established for the Direct Purchaser Bearings Case in MDL 2311.

4. Pursuant to Case Management Order No. 3 dated August 7, 2012 [Dkt. 271], the Court determined that Freed Kanner, Kohn Swift, Preti Flaherty, and Spector Roseman shall continue as interim lead counsel for the Direct Purchasers for all cases related to, and filed in or transferred to the Court as part of MDL No. 2311.

5. On September 13, 2012, Preti Flaherty, Gregory P. Hansel, Randall B. Weill, Jonathan G. Mermin and Joshua R. Carver moved in lead case number 2:12-cv-00500 [Dkt. 20] to withdraw as counsel for SPS Spindle Parts and Services, LLC and as one of the interim lead counsel in the Bearings Direct Purchaser Cases only due to a potential conflict of interest; and

6. No conflict of interest exists in the Bearings Direct Purchaser Cases with respect to Preti Flaherty and Gregory P. Hansel, Randall B. Weill, Jonathan G. Mermin, Michael S. Smith or other Preti Flaherty attorneys.¹

7. Pursuant to Local Rule 7.1, Plaintiffs have conferred with counsel for AB SKF who does not oppose this motion.

WHEREFORE, Direct Purchaser Plaintiffs move that the Court grant this motion and enter the proposed Order submitted herewith that:

1. Preti Flaherty and attorneys Gregory P. Hansel, Randall B. Weill, Jonathan G. Mermin, Michael S. Smith, and other Preti Flaherty attorneys may enter appearances in the Bearings Direct Purchaser Cases;

2. Preti Flaherty be reappointed as one of the interim lead counsel in the Bearings Direct Purchaser Cases; and

¹ SKF U.S.A. (a subsidiary of Defendant AB SKF) is a former client of Preti Flaherty in unrelated matters. Until 2012, Preti Flaherty represented SKF U.S.A. in two matters unrelated to this action: a breach of contract case in connection with an option to purchase a business and a settlement of a personal injury claim. In connection with the past representations, Preti Flaherty received no confidential information regarding the subject matter of this action. *See* Declaration of Gregory P. Hansel, submitted herewith.

3. Upon reappointment as one of the interim co-lead counsel in the Bearings Direct Purchaser Cases, Preti Flaherty shall assume the authority and responsibilities of one of the interim lead counsel in the Bearings Direct Purchaser Cases.

Respectfully submitted,

Date: June 25, 2014

/s/ David H. Fink

David H. Fink (P28235)

Darryl Bressack (P67820)

FINK + ASSOCIATES LAW

100 West Long Lake Road, Suite 111

Bloomfield Hills, MI 48304

(248) 971-2500

*Interim Liaison Counsel for the Direct
Purchaser Plaintiffs*

/s/ Joseph C. Kohn

Joseph C. Kohn

William E. Hoese

Douglas A. Abrahams

KOHN, SWIFT & GRAF, P.C.

One South Broad Street, Suite 2100

Philadelphia, PA 19107

Telephone: (215) 238-1700

jkohn@koh Swift.com

whose@koh Swift.com

dabrahams@koh Swift.com

/s/ Steven A. Kanner (w/ consent)

Steven A. Kanner

William H. London

Douglas A. Millen

Michael E. Moskovitz

**FREED KANNER LONDON &
MILLEN LLC**

2201 Waukegan Road, Suite 130

Bannockburn, IL 60015

Telephone: (224) 632-4510

skanner@fklmlaw.com

wlondon@fklmlaw.com

dmillen@fklmlaw.com

mmoskovitz@fklmlaw.com

/s/ Eugene A. Spector (w/ consent)

Eugene A. Spector

William G. Caldes

Jonathan M. Jagher

**SPECTOR ROSEMAN KODROFF
& WILLIS, P.C.**

1818 Market Street, Suite 2500

Philadelphia, PA 19103

Telephone: (215) 496-0300

espector@srkw-law.com

bcaldes@srkw-law.com

jjagher@srkw-law.com

*Interim Lead Counsel for Direct Purchaser
Plaintiffs in Bearings Cases*

CERTIFICATE OF SERVICE

I hereby certify that on June 25, 2014, I electronically filed the foregoing document with the Clerk for the Court using the ECF system which will send notifications of such filing to ECF-registered counsel.

Date: June 25, 2014

/s/ David H Fink

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Interim Liaison Counsel for the Direct
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